

Statement of
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United States Department of Justice**

Before the

**House Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy
& Human Resources**

Regarding

**“Law Enforcement and the Fight Against Methamphetamine:
Improving Federal, State, and Local Efforts**



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Chairman Souder, and distinguished members of the House Government Reform Committee-Subcommittee on Criminal Justice, Drug Policy and Human Resources, my name is Gary Oetjen and I am the Assistant Special Agent in Charge of the Drug Enforcement Administration's (DEA) Louisville District Office. On behalf of DEA Administrator, Karen Tandy, and Detroit Field Division Special Agent in Charge, Robert Corso, I appreciate your invitation to testify today regarding the DEA's efforts to combat methamphetamine in the State of Ohio.

Overview

Methamphetamine has rapidly spread across the country, leaving behind it a trail of destruction. This drug, which until the late 1980s was relatively unknown outside of the states along the West Coast, has continued to move eastward at an alarming pace. Today, few places in the United States have not felt methamphetamine's impact. The State of Ohio is no exception.

The DEA aggressively targets those who traffic in and manufacture this drug, as well as those who traffic in the chemicals used to produce this poison. In Ohio and across the nation, we have initiated and led successful enforcement efforts focusing on methamphetamine and its precursor chemicals and have worked jointly with our federal, state and local law enforcement partners to combat this drug. The efforts of law enforcement have resulted in several successful investigations which have dismantled and disrupted high-level methamphetamine trafficking organizations, as well as dramatically reduced the amount of pseudoephedrine entering our country.

Combating this drug requires a concerted effort by law enforcement at all levels, and the strong working relationship with State and local law enforcement that DEA has developed is an essential element of this effort. In addition to our enforcement efforts, we are using the expertise of the DEA's Office of Training, which has provided clandestine laboratory training to thousands of

our state and local partners from all the over country, as well as to our international counterparts. The DEA also provides cleanup assistance to law enforcement agencies across the country, as they battle this drug.

National Methamphetamine Threat Assessment and Trends

Methamphetamine found in the United States originates from two general sources, controlled by two distinct groups. Most of the methamphetamine found in the United States is produced by Mexico-based and California-based Mexican traffickers. These drug trafficking organizations control “super labs” and produce the majority of methamphetamine available throughout the United States. A “super lab” is defined as a laboratory capable of producing 10 pounds or more of methamphetamine within a production cycle.

The supply of methamphetamine in the United States is supplemented by “small toxic laboratories” (STLs), which are generally not affiliated with major drug trafficking organizations. Using recipes that can be found on the Internet and ingredients commonly available at retail outlets, these STLs create an environmental danger not associated with most other drug threats.

Precise breakdowns are not available, but current drug and lab seizure data suggests that roughly two-thirds of the methamphetamine used in the United States comes from larger labs, increasingly in Mexico, and that approximately one-third of the methamphetamine consumed in this country comes from the small, toxic laboratories.

Mexican criminal organizations control most mid-level and retail methamphetamine distribution in the Pacific, Southwest, and West Central regions of the United States, as well as much of the distribution in the Great Lakes and Southeast regions

Asian methamphetamine distributors (Filipino, Japanese, Korean, Thai, and Vietnamese) are also active in the Pacific region, although Mexican criminal groups trafficking in “ice methamphetamine” have supplanted Asian criminal groups as the dominant distributors of this drug type in Hawaii. Outlaw Motorcycle Gangs, or OMGs, distribute methamphetamine throughout the country, and reporting indicates that they are particularly prevalent in many areas of the Great Lakes region, New England and New York/New Jersey regions. Some of these OMGs are supplied by the major Mexican organizations.

The rapid spread of methamphetamine throughout the United States is due in part to the proliferation of STLs, which are found in rural areas, tribal and federal lands, big cities, and suburbs. The amount of methamphetamine actually produced by these STLs is relatively small, but their impact on local communities is enormous. The drug’s impact does not stop with those who abuse methamphetamine. It victimizes innocent people through the many methamphetamine-related crimes that occur by those under the influence of this drug and also the offenses committed by those intent on finding ways to fund the purchase or manufacture of this poison. Children are often victims of this drug, as is the environment. Governmental entities on all levels are impacted by this drug and are strained by the responsibility of combating STLs.

Ohio Threat Assessment

Though methamphetamine is clearly a growing threat to the people of Ohio, currently, the greatest drug threat in Ohio is cocaine, in both the powdered form (cocaine HCL) and “crack” cocaine form. Cocaine is generally brought to Ohio in powder form and is either sold in that form or is made into “crack” cocaine by the drug trafficking organizations which then distribute it in retail quantities. The most violent crimes in Ohio are attributed to the distribution and abuse of cocaine and “crack” cocaine. Additionally, local law enforcement agencies throughout Ohio most frequently identify cocaine, either powdered or “crack”, as the drug that most contributes to property crime in their respective areas.

Methamphetamine manufacturing and use are increasing throughout the state. For CY 2002, the State of Ohio reported a total of 97 methamphetamine-related incidents to the El Paso Intelligence Center (EPIC). These incidents included the seizure of laboratories, dumpsites, chemicals, glassware, and equipment. The number of methamphetamine-related incidents in Ohio increased to 131 for CY 2003, and in CY 2004, 286 methamphetamine-related incidents were reported to EPIC. Ohio’s 286 methamphetamine-related incidents included 162 laboratories. Of those labs, 105 had a reported production capacity of less than two ounces of methamphetamine. In 2004, over 25 percent of the State’s methamphetamine lab seizures reported to EPIC occurred in Summit County, Ohio (Akron, OH area – 43 labs seized).

Arrest data shows us that the predominant manufacturers and users of methamphetamine in Ohio are Caucasian males and females. Local independent criminal groups, OMGs and, to a lesser extent, Mexican criminal groups are primarily responsible for shipping methamphetamine into and distributing it throughout the state, predominantly through mail and package delivery services. In addition to methamphetamine produced locally in STLs, the Cleveland and Columbus areas are also destinations for methamphetamine produced by Mexican drug trafficking organizations operating along the Southwest Border or in Mexico. Methamphetamine distribution has also increased at “Raves” and on college campuses in Ohio.

Methamphetamine lab-related seizures in the State of Ohio, as reported to the El Paso Intelligence Center (National Clandestine Laboratory Seizure System – as of August 2, 2005) for CY 2002 through CY 2004 are listed below. While reporting is getting better, it should be noted that reporting is not mandatory. Consequently, some state and local law enforcement agencies do not report their clandestine laboratory numbers to EPIC. It is precisely due to such reporting issues, that the numbers provided below may under-represent the total number of labs in Ohio, with the greatest disparity occurring in earlier years (ie, CY 2002).

	Chem/Glass/Equip	Dumpsites	Labs	Total
CY 2002	26	9	62	97
CY 2003	43	8	80	131
CY 2004	88	36	162	286

Battling Methamphetamine – Labs and Precursor Chemicals

As a result of our efforts and those of our law enforcement partners in the U.S. and Canada, we have seen a dramatic decline in methamphetamine “super labs” in the U.S. In 2004, 55 “super labs” were seized in the United States, the majority of which were in California. This is a dramatic decrease from the 246 “super labs” seized in 2001. This decrease in “super labs” is largely a result of enforcement successes against suppliers of bulk shipments of precursor chemicals, notably ephedrine and pseudoephedrine. Law enforcement has also seen a huge reduction in the amount of pseudoephedrine, ephedrine, and other precursor chemicals seized at the Canadian border. But with the drop in “super lab” activity in the United States, however, we have also seen an increase of “super lab” activity in Mexico.

DEA has been working to ensure that only legitimate businesses with adequate chemical controls are licensed to handle bulk pseudoephedrine and ephedrine in the United States. In the past seven years, more than 2,000 chemical registrants have been denied, surrendered, or withdrawn their registrations or applications as a result of DEA investigations. Between 2001 and 2004, DEA Diversion Investigators physically inspected more than half of the 3,000 chemical registrants at their places of business. We investigated the adequacy of their security safeguards to prevent the diversion of chemicals to the illicit market, and audited their recordkeeping to ensure compliance with federal regulations.

The DEA is also working with our global partners to target international methamphetamine traffickers and to increase chemical control efforts abroad. The DEA has worked hand in hand with its law enforcement counterparts in Canada, Hong Kong and Mexico, and regulatory authorities to identify and investigate attempts to divert pseudoephedrine.

DEA’s Efforts in Ohio

The DEA offices located in Ohio are part of the Detroit Field Division, which also includes the states of Michigan and Kentucky. The DEA’s six Ohio offices are located in the following cities: Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown.

The DEA’s enforcement efforts in Ohio are led by DEA Special Agents and Task Force Officers from state and local agencies, who are assigned to DEA offices. The Task Force Officers are deputized by DEA and have the same authority as DEA Special Agents. Currently in Ohio, we have over 60 deputized state and local officers working alongside our Agents, Diversion Investigators and Intelligence Research Specialists. Working in a task force setting brings together the expertise of the individual investigators and agencies and serves as a force multiplier, by which law enforcement can better attack the drug threats facing Ohio.

The DEA focuses its overall enforcement operations on the large regional, national and international drug trafficking organizations responsible for the majority of the drug supply in the United States. Within the State of Ohio, we implement the same approach by focusing our investigative resources and efforts on the largest trafficking organizations operating within the

respective areas of responsibility of our six DEA offices. The DEA's enforcement efforts and those of our state and local counterparts have resulted in numerous successful investigations in Ohio.

Our methamphetamine investigations have involved various levels of traffickers and lab operators, including local traffickers and "cooks", gang members, and sources of supply from the West Coast and Southwest border. Laboratory analysis of methamphetamine exhibits acquired in investigations initiated by the DEA in Ohio, have documented purities ranging up to 100 percent. From FY 2002 through the third quarter of FY 2005 (June 30, 2005), the DEA's offices in Ohio have made in excess of 300 methamphetamine-related arrests.

DEA's Clandestine Laboratory Training

In response to the spread of labs across the country, more and more state and local law enforcement officers require training to investigate and safely dismantle these labs. Since 1998, the DEA has offered a robust training program for our state and local partners. The DEA, through our Office of Training, provides basic and advanced clandestine laboratory safety training for state and local law enforcement officers and Special Agents at the DEA Clandestine Laboratory Training Facility. Instruction includes the Basic Clandestine Laboratory Certification School, the Advanced Site Safety School, and the Clandestine Laboratory Tactical School. Each course exceeds Occupational Safety Health Administration (OSHA)-mandated minimum safety requirements and is provided at no cost to qualified state and local law enforcement officers. As part of this training, approximately \$2,200 worth of personal protective equipment is issued to each student, allowing them to safely investigate these clandestine labs and work in this hazardous environment.

The DEA has trained more than 8,600 State and local law enforcement personnel (plus 1,900 DEA employees), since 1998, to conduct investigations and dismantle seized methamphetamine labs and protect the public from methamphetamine lab toxic waste. Since FY 2002, the DEA has provided clandestine laboratory training to over 100 officers from Ohio.

The Office of Training also provides clandestine laboratory awareness and "train the trainer" programs that can be tailored for a specific agency's needs, with classes ranging in length from one to eight hours. An example of the clandestine laboratory awareness training occurred in early 2003, when the DEA's Youngstown Resident Office provided training to police and fire personnel from 11 agencies in the Youngstown area. This training has been conducted throughout the Detroit Field Division and has been provided to over 4,000 police and fire personnel. Additionally, we provide in-service training and seminars for law enforcement groups, such as the Clandestine Laboratory Investigator's Association and the International Association of Chiefs of Police, and have provided training to our counterparts in other countries regarding precursor chemical control, investigation and prosecution. This DEA training is pivotal to ensuring safe and efficient cleanup of methamphetamine lab hazardous waste.

Hazardous Waste Cleanup

When a federal, state or local agency seizes a clandestine methamphetamine laboratory, Environmental Protection Agency regulations require that the agency ensure that all hazardous waste materials are safely removed from the site. In 1990, the DEA established a Hazardous Waste Cleanup Program to address environmental concerns from the seizure of clandestine drug

laboratories. This program promotes the safety of law enforcement personnel and the public by using qualified companies with specialized training and equipment to remove hazardous waste. Private contractors provide hazardous waste removal and disposal services to the DEA, as well as to state and local law enforcement agencies.

The DEA's hazardous waste program, with the assistance of grants to state and local law enforcement, supports and funds the cleanup of a majority of the laboratories seized in the United States. In FY 2004, the DEA administered over 10,000 state and local clandestine laboratory cleanups at a cost of approximately \$17.8 million. In Ohio, from FY 2002 through FY 2004, the DEA administered 556 lab cleanups, at a total cost of \$1,145, 600.00. As of the end of the third quarter of FY-2005 (June 30, 2005), the DEA had administered 331 cleanups in Ohio, at a cost of \$655,200.00.

Victim Witness Assistance Program

More than any other controlled substance, methamphetamine trafficking endangers children through exposure to drug abuse, neglect, physical and sexual abuse, toxic chemicals, hazardous waste, fire, and explosions. In response to these tragic phenomena, the DEA has enhanced its Victim Witness Program to identify, refer, and report these incidents to the proper state agencies. Each of the DEA's Field Divisions has a Victim/Witness Coordinator to ensure that all endangered children are identified and that the child's immediate safety is addressed at the scene by appropriate child welfare and health care service providers. Assistance has also been provided to vulnerable adults, individuals of domestic violence, and to customers and employees of businesses such as hotels and motels where methamphetamine has been produced or seized.

Conclusion

The DEA, both nationally and in Ohio, is keenly aware that we must continue our fight against methamphetamine and stop the spread of this drug. Law enforcement has experienced some success in this fight, as is evidenced by the significant decrease in the number of "super labs" seized in this country and the huge reduction in pseudoephedrine seized at the Canadian border. To continue to combat this epidemic, we are fighting methamphetamine on multiple fronts. Our enforcement efforts are focused on both the large-scale methamphetamine trafficking organizations distributing this drug, as well as those who are involved in providing the precursor chemicals necessary to manufacture this poison.

The DEA in Ohio has seen an increase in the manufacturing and use of methamphetamine and we are working closely with our state and local law partners to combat the threat presented by this drug, as well as the spread of small toxic labs. To more effectively and safely investigate and dismantle these labs, our Office of Training has provided clandestine laboratory training to many of our state and local partners. Additionally, through our hazardous waste program, since FY 2002, the DEA has administered nearly 900 cleanups in Ohio. As an agency, the DEA also has expanded our Victim Witness efforts to provide assistance to methamphetamine's victims.

Thank you for your recognition of this important issue and the opportunity to testify here today. I will be happy to answer any questions you may have.